

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Ian Charles OGILVY

Confirmation No.:

Group Art Unit:

Serial No.: New U.S. Application

Examiner:

Filed: Herewith

Customer No.: 34610

For: IMPROVED APPARATUS FOR REMOTE PAYMENT TRANSACTIONS

**POWER OF ATTORNEY AND**  
**CERTIFICATION UNDER 37 CFR §3.73(B)**

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22314

Sir:

I hereby appoint the following attorney(s) and/or agent(s): Mark L. Fleshner, Registration No. 34,596; Daniel Y.J. Kim, Registration No. 36,186; Carl R. Wesolowski, Registration No. 40,372; John C. Eisenhart, Registration No. 38,128; Donald R. McPhail, Registration No. 35,811; and Carol L. Druzbeck, Registration No. 40,287; all of

FLESHNER & KIM, LLP  
P. O. Box 221200  
Chantilly, Virginia 20153-1200

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

CERTIFICATE UNDER 37 CFR §3.73(b)

CARDSOFT, INC., located at One Waters Park Drive, Suite 104, San Mateo, California 94403, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of the assignment filed currently herewith.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

The undersigned further declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

By: 

John Fruin

Title: Chief Financial Officer

Date: 12-30-05

Ad 581-40 10/585133  
**PATENT ASSIGNMENT**

RECEIVED 30 JUN 2006

**BETWEEN**

**CARDSOFT INTERNATIONAL PTY LTD ACN 075 945 265**  
of Level 29, 459 Collins Street, Melbourne, VIC, 30005,  
AUSTRALIA  
(the "Assignor")

**AND**

**CARDSOFT, INC.**  
of One Waters Park Drive, Suite 104, San Mateo, CA 94403  
UNITED STATES OF AMERICA  
(the "Assignee")

**RECITALS**

- A. The Assignor is registered, or entitled to be registered, as the owner of the pending patent applications identified in the Schedule (collectively, the "Patents").
- B. The Assignor has agreed to assign the Patents to the Assignee.

**ASSIGNMENT**

1. The Assignor hereby assigns to the Assignee its entire interest in the Patents, including:
  - (a) its rights, if any, to sue for any infringement of the Patents which took place prior to the date of this Assignment, or which takes place prior to recordal of this Assignment;
  - (b) its rights, if any, to apply for and obtain other patents claiming priority from or otherwise based on the Patents.
2. A party to this Assignment must, upon the request of the other party, do all things reasonably desirable to give effect to clause 1, including by executing further documents.
3. The Assignor acknowledges receipt of good and valuable consideration from the Assignee.
4. This Assignment is effective on the date it is signed for the Assignor.

**COUNTERPARTS**

5. This Deed may consist of a number of counterparts and, if so, the counterparts taken together constitute one document.

## **SCHEDULE**

### **1) Communications Device with Card Facility**

WO0180193 (Filing date 17 April 2001)

AU5016201 (Application date 17 April 2000)

### **2) Method and Apparatus for Programming Computing Devices**

WO0029944 (Filing date 16 November 1999)

AU1535500 (Application date 16 November 1998)

### **3) Bankcard or Note with Display**

WO0104832 (Filing date 12 July 2000)

AU5664900 (Application date 12 July 1999)

### **4) Improved Apparatus For Remote Payment Transactions (aka "Dual Interface")**

WO0104851 (Filing date 12 July 2000)

AU5664900 (Application date 12 November 1997)

UK (9911089.2) (Application date 12 November 1997)

US (09/297991) (Application date 12 November 1997)

### **5) Improved computing system and computing device**

AU1531400 (Application 2 November 1998)

WO0026803 (Filing date 2 November 1999)

### **6) A system and method for the provision of information within a predetermined locality**

AU5664500 (Application date 8 July 1999)

WO0105094 (Filing date 10 July 2000)

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EXECUTED as a deed

SIGNED for CARDSOFT )  
INTERNATIONAL PTY LTD by )

  
.....  
Signature of director

.....  
Signature of 2<sup>nd</sup> director

*Andrew Smyth*  
.....  
Name of director (print)

.....  
Name of 2<sup>nd</sup> director

Date: *10 November 2005*

SIGNED for Cardsoft, Inc. by )  
)

  
.....  
Signature of director

*DONALD E. Sweet*  
.....  
Name of director (print)

Date: *11/29/05*